

**Calendar No. 255**

108TH CONGRESS  
1ST SESSION

**S. 391**

**[Report No. 108–131]**

To enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2003

Mrs. MURRAY (for herself and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 26, 2003

Reported under authority of the order of the Senate of July 29 (legislative day, July 21), 2003, by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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**A BILL**

To enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Wild Sky Wilderness  
5       Act of 2003”.

6       **SEC. 2. FINDINGS AND STATEMENT OF POLICY.**

7       ~~(a) FINDINGS.—Congress finds the following:~~

8               ~~(1) Americans cherish the continued existence~~  
9               ~~of diverse wilderness ecosystems and wildlife found~~  
10              ~~on their Federal lands and share a strong sense of~~  
11              ~~moral responsibility to protect their wilderness herit-~~  
12              ~~age as an enduring resource to cherish, protect, and~~  
13              ~~bequeath undisturbed to future generations of Amer-~~  
14              ~~icans.~~

15             ~~(2) The values of an area of wilderness offer to~~  
16             ~~this and future generations of Americans are greatly~~  
17             ~~enhanced to the degree that the area is diverse in to-~~  
18             ~~pography, elevation, life zones and ecosystems, and~~  
19             ~~to the extent that it offers a wide range of outdoor~~  
20             ~~recreational and educational opportunities accessible~~  
21             ~~in all seasons of the year.~~

22             ~~(3) Large blocks of wildlands embracing a wide~~  
23             ~~range of ecosystems and topography, including low-~~  
24             ~~elevation forests, have seldom remained undisturbed~~  
25             ~~due to many decades of development.~~

1           (4) Certain wildlands on the western slope of  
2           the Cascade Range in the Skykomish River valley of  
3           the State of Washington offer an outstanding rep-  
4           resentation of the original character of the forested  
5           landscape, ranging from high alpine meadows and  
6           extremely rugged peaks to low-elevation mature and  
7           old-growth forests, including groves with some of the  
8           largest and most spectacular trees in Washington,  
9           with diameters of eight feet and larger.

10          (5) These diverse, thickly forested mountain  
11          slopes and valleys of mature and old-growth trees in  
12          the Skykomish River valley harbor nearly the full  
13          complement of the original wildlife and fish species  
14          found by settlers of the 19th century, including  
15          mountain goats, bald eagles, black bear, pine  
16          marten, black-tailed deer, as well as rare and endan-  
17          gered wildlife such as northern spotted owls and gos-  
18          hawks, Chinook and Coho salmon, and steelhead and  
19          bull trout.

20          (6) An ecologically and topographically diverse  
21          wilderness area in the Skykomish River valley acces-  
22          sible in all seasons of the year will be enjoyable to  
23          users of various kinds, such as hikers, horse riders,  
24          hunters, anglers, and educational groups, but also to  
25          the many who cherish clean water and clean air, fish

1 and wildlife (including endangered species such as  
 2 wild salmon), and pristine mountain and riverside  
 3 scenery.

4 (b) STATEMENT OF POLICY.—Congress hereby de-  
 5 clares that it is the policy of the United States:

6 (1) to better serve the diverse wilderness and  
 7 environmental education needs of the people of the  
 8 State of Washington and its burgeoning metropoli-  
 9 tan regions by granting wilderness protection to cer-  
 10 tain lower elevation wildlands in the Skykomish  
 11 River valley of the State of Washington; and

12 (2) to protect additional lands adjacent to the  
 13 Henry M. Jackson Wilderness designated by the  
 14 Washington Wilderness Act of 1984 (Public Law  
 15 98-339), in further tribute to the ecologically en-  
 16 lightened vision of the distinguished Senator from  
 17 the State of Washington and former Chairman of  
 18 the Senate Committee on Energy and Natural Re-  
 19 sources (formerly the Senate Interior and Insular  
 20 Affairs Committee).

21 **SEC. 3 2. ADDITIONS TO THE NATIONAL WILDERNESS PRES-**  
 22 **ERVATION SYSTEM.**

23 (a) ADDITIONS.—The following Federal lands in the  
 24 State of Washington are hereby designated as wilderness  
 25 and, therefore, as components of the National Wilderness

1 Preservation System: certain lands which comprise ap-  
2 proximately 106,000 acres, as generally depicted on a map  
3 entitled “Wild Sky Wilderness Proposal”, “Map #1”, and  
4 dated January 7, 2003, which shall be known as the Wild  
5 Sky Wilderness.

6 (b) MAPS AND LEGAL DESCRIPTIONS.—As soon as  
7 practicable after the date of enactment of this Act, the  
8 Secretary of Agriculture shall file a map and a legal de-  
9 scription for the wilderness area designated under this Act  
10 with the Committee on Energy and Natural Resources of  
11 the United States Senate and the Committee on Resources  
12 of the United States House of Representatives. The map  
13 and description shall have the same force and effect as  
14 if included in this Act, except that the Secretary of Agri-  
15 culture may correct clerical and typographical errors in  
16 the legal description and map. The map and legal descrip-  
17 tion shall be on file and available for public inspection in  
18 the office of the Chief of the Forest Service, Department  
19 of Agriculture.

20 **SEC. 4 3. ADMINISTRATION PROVISIONS.**

21 (a) IN GENERAL.—

22 (1) Subject to valid existing rights, lands des-  
23 igned as wilderness by this Act shall be managed  
24 by the Secretary of Agriculture in accordance with  
25 the Wilderness Act (16 U.S.C. 1131 et seq.) and

1       this Act, except that, with respect to any wilderness  
2       areas designated by this Act, any reference in the  
3       Wilderness Act to the effective date of the Wilder-  
4       ness Act shall be deemed to be a reference to the  
5       date of enactment of this Act.

6           (2) To fulfill the purposes of this Act and the  
7       Wilderness Act and to achieve administrative effi-  
8       ciencies, the Secretary of Agriculture may manage  
9       the area designated by this Act as a comprehensive  
10      part of the larger complex of adjacent and nearby  
11      wilderness areas.

12      (b) NEW TRAILS.—

13           (1) The Secretary of Agriculture shall consult  
14      with interested parties and shall establish a trail  
15      plan for Forest Service lands in order to develop:

16           (a) a system of hiking and equestrian  
17      trails within the wilderness designated by this  
18      Act in a manner consistent with the Wilderness  
19      Act, Public Law 88–577 (16 U.S.C. 1131 et  
20      seq.); and

21           (b) a system of ~~trail~~ *trails* adjacent to or  
22      to provide access to the wilderness designated  
23      by this Act.

24           (2) Within two years after the date of enact-  
25      ment of this Act, the Secretary of Agriculture shall

1 complete a report on the implementation of the trail  
2 plan required under this Act. This report shall in-  
3 clude the identification of priority trail for develop-  
4 ment.

5 (c) REPEATER SITE.—Within the Wild Sky Wilder-  
6 ness, the Secretary of Agriculture is authorized to use heli-  
7 copter access to construct and maintain a joint Forest  
8 Service and Snohomish County *telecommunications* re-  
9 peater site, in compliance with a Forest Service approved  
10 communications site plan, for the purposes of improving  
11 communications for safety, health, and emergency serv-  
12 ices.

13 (d) FLOAT PLANE ACCESS.—As provided by section  
14 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the  
15 use of floatplanes on Lake Isabel, where such use has al-  
16 ready become established, shall be permitted to continue  
17 subject to such reasonable restrictions as the Secretary of  
18 Agriculture determines *to be* desirable.

19 (e) EVERGREEN MOUNTAIN LOOKOUT.—The des-  
20 ignation under this Act shall not preclude the operation  
21 and maintenance of the existing Evergreen Mountain  
22 Lookout in the same manner and degree in which the op-  
23 eration and maintenance of such lookout was occurring  
24 as of the date of enactment of this Act.

1 **SEC. 5 4. AUTHORIZATION FOR LAND ACQUISITION.**

2 (a) IN GENERAL.—The Secretary of Agriculture is  
 3 authorized to acquire lands and interests therein, by pur-  
 4 chase, donation, or exchange, and shall give priority con-  
 5 sideration to those lands identified as “Priority Acquisi-  
 6 tion Lands” on the map described in ~~section 3(a)(1)~~ *sec-*  
 7 *tion 2(a)(1)*. The boundaries of the Mt. Baker-Snoqualmie  
 8 National Forest and the Wild Sky Wilderness shall be ad-  
 9 justed to encompass any lands acquired pursuant to this  
 10 section.

11 (b) ACCESS.—Consistent with section 5(a) of the Wil-  
 12 derness Act (Public Law 88–577; 16 U.S.C. 1134(a)), the  
 13 Secretary of Agriculture shall ~~assure~~ *ensure* adequate ac-  
 14 cess to private inholdings within the Wild Sky Wilderness.

15 (c) APPRAISAL.—Valuation of private lands shall be  
 16 determined without reference to any restrictions on access  
 17 or use which arise out of designation as a wilderness area  
 18 as a result of this Act.

19 **SEC. 6 5. LAND EXCHANGES.**

20 The Secretary of Agriculture shall exchange lands  
 21 and interests in lands, as generally depicted on a map enti-  
 22 tled Chelan County Public Utility District Exchange and  
 23 dated May 22, 2002, with the Chelan County Public Util-  
 24 ity District in accordance with the following provisions:

25 (1) If the Chelan County Public Utility District,  
 26 within ninety days after the date of enactment of



1       this Act, offers to the Secretary of Agriculture ap-  
 2       proximately 371.8 acres within the Mt. Baker-  
 3       Snoqualmie National Forest in the State of Wash-  
 4       ington, the Secretary shall accept such lands.

5           (2) Upon acceptance of title by the Secretary of  
 6       Agriculture to such lands and interests therein, the  
 7       Secretary of Agriculture shall convey to the Chelan  
 8       County Public Utility District a permanent ease-  
 9       ment, including helicopter access, consistent with  
 10      such levels as used as of date of enactment, to main-  
 11      tain an existing ~~snowtel~~ *site telemetry site to monitor*  
 12      *snow pack* on 1.82 acres on the Wenatchee National  
 13      Forest in the State of Washington.

14          (3) The exchange directed by this Act shall be  
 15      consummated if Chelan County Public Utility Dis-  
 16      trict conveys title acceptable to the Secretary and  
 17      provided there is no hazardous material on the site,  
 18      which is objectionable to the Secretary.

19          (4) In the event Chelan County Public Utility  
 20      District determines there is no longer a need to  
 21      maintain a ~~snowtel~~ *telemetry* site to monitor the  
 22      snow pack for calculating expected runoff into the  
 23      Lake Chelan hydroelectric project and the hydro-  
 24      electric projects in the Columbia River Basin, the  
 25      ~~secretary~~ *Secretary* shall be notified in writing and

1       the easement shall be extinguished and all rights  
2       conveyed by this exchange shall revert to the United  
3       States.



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